

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8509 of 2005

Between:

- 1 Adabala Arjunudu, S/o. Subbanna,
R/o. Indukurupeta (V), Devipatnam (M), East Godavari District.
- 2 Matta Arjunudu, S/o. Samudram,
R/o. Indukurupeta (V), Devipatnam (M), East Godavari District.

..... PETITIONERS

AND

- 1 The District Collector, East Godavari District, at Kakinada.
- 2 The Mandal Revenue Officer, Devipatnam (M), East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ or order or direction more particularly writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in dispossessing the petitioners from the land to an extent of Hec. 2.61 of Land situated in Sy.No. 210 of Lothupalem Village, Devipatnam Mandal, East Godavari District without notice or passing any order is wholly illegal, arbitrary and violation of Art. 14, 21 & 300A of the constitution of India and consequently direct the respondents not to dispossess the petitioners from the above land without following the due process of law and to pass such other order or orders as this Hon'ble Court may deem fit and proper

Counsel for the Petitioners: MR.K.VENKATESH

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

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This writ petition is filed seeking a declaration that the action of the respondents in seeking to dispossess the petitioners from the land to an extent of Hec.2.61 situated in Survey No.210 of Lothupalem village, Devipatnam Mandal, East Godavari District is arbitrary and illegal.

The petitioners state that they have already made a representation before the second respondent, the Mandal Revenue Officer on 01-01-2005 bringing to his notice that they are the owners of the land-in-question and that they may not be dispossessed without affording an opportunity of hearing to them.

In the circumstances, without expressing any opinion as to the claim made by the petitioners, the writ petition is disposed of with a direction to the second respondent to consider the request of the petitioners made in their representation dated 01-01-2005 and to pass appropriate orders in accordance with law after affording due opportunity to all the persons concerned as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

(G.ROHINI, J)

Date:19-04-2005

Note:

Issue CC in two days.

B/o

ghn

To

- 1 The District Collector, East Godavari District, at Kakinada.
- 2 The Mandal Revenue Officer, Devipatnam (M), East Godavari District.
- 3 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad.
(O.U.T.)
- 4 Two CD copies.